

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

AUTOSCRIBE CORPORATION

v.

REPAY HOLDINGS CORPORATION,  
*et al.*

§  
§  
§  
§  
§  
§  
§

CASE NO. 2:23-cv-00349-JRG  
(Lead Case)

---

AUTOSCRIBE CORPORATION

v.

FORTIS PAYMENT SYSTEMS, LLC

§  
§  
§  
§  
§  
§  
§

CASE NO. 2:23-cv-00364-JRG  
(Member Case)

**ORDER**

Before the Court are two motions. The first is the Joint (Agreed) Motion for Entry of Docket Control Order and Motion to Consolidate for Pretrial Purposes (the “First Motion to Consolidate”) filed jointly in Case No. 2:23-cv-0349 by Plaintiff Autoscribe Corporation (“Autoscribe”) and Defendants Repay Holdings Corporation and Repay Holdings, LLC (collectively, “Repay Holdings”). (2:23-cv-0349, Dkt. No. 28.) The second is the Joint (Agreed) Motion for Entry of Docket Control Order and Motion to Consolidate for Pretrial Purposes (the “Second Motion to Consolidate”) filed jointly in Case No. 2:23-cv-0364 by Plaintiff Autoscribe and Fortis Payment Systems, LLC (“Fortis”). (2:23-cv-0364, Dkt. No. 19.)

The First Motion to Consolidate and the Second Motion to Consolidate (collectively, the “Motions”) both request that the Court consolidate the above-captioned cases and set the -0349 case as the lead case. (2:23-cv-0349, Dkt. No. 28 at 1–2, Dkt. No. 28-2 at 1; 2:23-cv-0364, Dkt. No. 19 at 1; Dkt. No. 19-2 at 1.) The Motions also request entry of a Docket Control Order. (2:23-


cv-0349, Dkt. No. 28 at 1–2; 2:23-cv-0364, Dkt. No. 19 at 1–2.) As noted before, the Motions are jointly filed. (2:23-cv-0349, Dkt. No. 28 at 1, 4; 2:23-cv-0364, Dkt. No. 19 at 1, 4.)

Having considered the Motions and noting their joint natures, the Court finds that they should be and hereby are **GRANTED-IN-PART**. Accordingly, the above-captioned cases are hereby **ORDERED** to be **CONSOLIDATED** for all pretrial issues with the LEAD CASE, Case No. 2:23-cv-00349. All parties are instructed to file any future filings in the LEAD CASE. Individual cases remain active for trial.

The Clerk is instructed to add the consolidated Defendants into the Lead Case and their corresponding Lead and Local Counsel only. Additional counsel may file a Notice of Appearance in the Lead Case if they wish to continue as counsel of record in the lead consolidated action. Counsel who has appeared *pro hac vice* in any member case may file a Notice of Appearance in the Lead Case without filing an additional application to appear *pro hac vice* in the Lead Case. Counsel who have not appeared in a member case at the point when it is consolidated into the Lead Case should file a Notice of Appearance only in the Lead Case, and such Notice should state the relevant member case.

The balance of the Motion, which concerns entry of a docket control order, is **CARRIED**.

**So ORDERED and SIGNED this 19th day of December, 2023.**

  
\_\_\_\_\_  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE